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09/628,727

07/28/2000

Philip R. Krause

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07/21/2006

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EXAMINER

HUYNH, CONG LAC T

ART UNIT

PAPER NUMBER

2178

DATE MAILED: 07/21/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/628,727

Applicant(s)

KRAUSE ET AL.

Examiner

Cong-Lac Huynh

Art Unit

2178

– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 May 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 45-66 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 45-50 and 52-66 is/are rejected.
- 7) ☐ Claim(s) 51 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to communications: amendment filed 5/3/06 to the application filed on 07/28/00 which is a continuation of the application 09/015,660 filed on 01/29/98, now US Pat No. 6,154,757.
2. Claims 1-44 are canceled.
3. Claims 45-66 are pending in the case. Claims 45 and 65 are independent claims.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 45-65 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding independent claim 45, it is not clear how to select the entire portion of said electronic text represented by said *at least one outline element*. One outline element, as recited, represents only a portion of said electronic text, which is the whole document. Therefore, it is contradictory to select the whole text via an outline element which links to only a portion of the whole electronic text.

Dependent claims 46-65 are rejected for fully incorporating the deficiencies of their base claim.

In addition, in claim 47, it is not clear what Applicants means in displaying on the outline at least one result of said operation of said performing such that the relative positional

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relationships between text corresponding to said at least one operation result and original text element represented by outline elements are maintained on the outline.

Please explain.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 45-50, 52-66 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bates et al. (US Pat No. 5,987,482, 11/16/99, filed 9/8/97).

Regarding independent claim 45, Bates discloses:

- presenting, on a display controlled by the computer system, a portion of an outline of said electronic text (figure 6: the display of #112, #116, #120 shows a portion of the outline of the followed text document) wherein:
 - o an element of the text comprises at least one phrase appearing in said electronic text, said at least one phrase comprising at least one word (figure 6: the "Introduction" or "Chapter 1" is an element of the text which is a phrase including at least one word)
 - o said outline comprises a plurality of elements, wherein elements of the outline comprises copies of elements of said electronic text (figure 6: the table of content is an outline comprising a plurality of elements #112,

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#116, #120, which are copies of elements #114, #118, #122 of the electronic text)

- each element of the outline represents a portion of said electronic text (figure 6: each element of the table of content such as #112, #116, etc. represents a corresponding portion of the text #114, #118, etc.)
 - the combined elements of the outline comprise substantially less text than the entire electronic text (figure 6: elements of the table of content is less text than the entire text document)
 - substantially all portions of said electronic text are represented by at least one element of the outline (figure 6)
 - the relative positional of the outline correspond to the relative positional and hierarchical relationships of the portions of said electronic text represented by said elements of the outline (figure 6: the fact that the order of the portions of the text follows the order disclosed in the table of content indicates that the elements of the text is maintained according to the positional relationship between the elements referred in the table of content)
- in response to user action, said user action consisting only of indicating at least one element of said outline, selecting the entire portion of said electronic text represented by at least one element of the outline (figure 6: when a user clicks on at least one element of the outline, that means one or *all elements* in the

outline may be clicked, then the entire portion of the electronic text represented by at least one element of the outline)

- performing an operation exclusively on the portion of electronic text selected in selecting step wherein said operation does not cause the display of said selected electronic text (figure 6: clicking on Here #126 is performing an operation exclusively on the portion of the electronic text in selecting step since the #126 is *not in* the portions of text correspondent to the elements of the outline, and said operation does not cause the display of the selected text)

Bates does not disclose that the hierarchical relationship between the elements of the text is maintained on the outline.

However, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to have to have modified Bates to include the hierarchical relationship among the elements to Bates since it was well known that the chapters in a table of content can further include sections and paragraphs, which are the subsections of the chapters for further including more contents for the text document.

Regarding claim 46, which is dependent on claim 45, Bates discloses that the user action comprises a mouse click on said outline element.(figures 14, 15).

Regarding claim 47, which is dependent on claim 45, Bates discloses displaying on the outline at least one result of said operation of said performing such that the relative positional relationships between text corresponding to said at least one operation result

and original text element represented by outline elements are maintained on the outline (figures 14, 15: on the outline, displaying the result of performing operation to show the relative positional relationships between electronic text and the selected outline elements on the scroll bar).

Regarding claim 48, which is dependent on claim 45, Bates discloses that the elements of text presented on the outline relate to the structure of the electronic text (figure 6: the fact that the order of the elements of text such as Introduction, Chapter 1, etc. is the same as the order of the elements of the table of content (Introduction, Chapter 1, Chapter 2, etc. indicates the relation between the structure of the text and the structure of the table of content, which is the outline of the document).

Regarding claim 49, which is dependent on claim 45, Bates discloses that the outline is computer-generated using said electronic text as input (figure 6: the table of content is computer-generated text).

Regarding claim 50, which is dependent on claim 45, Bates discloses modifying the appearance of said selected text to differ from the appearance of unselected text (figure 15: the appearance of Chapter 1 is modified when selected to be different from the appearance of Chapter 2, which is unselected).

Regarding claim 52, which is dependent on claim 45, Bates discloses the operation result displayed on the outline contains a hyperlink (figures 6, 14-15: elements displayed on the outline contain a hyperlink such as #112, #116, #120).

Regarding claim 53, which is dependent on claim 45, Bates discloses the reverse-indexing of the said selected comprising:

- identifying at least one index entry that refers to a first portion of said electronic text within said selected text referred to by said outline element (figure 6: the "I" is the at least one index entry referred to a first portion Introduction of said electronic text referred to by the outline element Introduction in the outline)
- identifying at least one second portion of electronic text also referred to by said at least one index entry (figure 6: the Chapter 1 is the at least one second portion of the electronic text referred to by at least one index entry "II" in the outline)
- providing information about said second portion of said electronic text (figure 15, col 11, lines 33-47: the indicator provides information about the second portion Chapter 1 of the electronic text)

Regarding claim 54, which is dependent on claim 45, Bates does not disclose storing a copy of said selected text in a computer memory buffer.

However, it would have been obvious to an ordinary skill in the art at the time of the invention was made to have modified Bates to include storing a copy of said selected text in a computer memory buffer for the following reason. It was well known in

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document processing to copy a selected text and to store the copied text in memory buffer to paste to another document or a blank file. The combination of storing a copied text feature to Bates would facilitate in manipulating text in a document.

Regarding claim 55, which is dependent on claim 45, Bates discloses searching within said selected text (col 6, lines 49-57: determining where the target, referred by the outline element, is located inherently shows searching within the text to find out the target location).

Regarding claims 56 and 57, which are dependent on claim 45, Bates does not disclose printing and copying the text into an electronic clipboard.

However, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to have modified Bates to include printing and copying features the text referred to by the outline element since it was well known that a portion of text can be printing or copying by highlighting said selected portion to print or to copy as desired.

So, in Bates, the Chapter 1 portion in the text referred to by the outline element "Chapter 1" in the Table of Contents can be highlighted for printing or copying.

Regarding claim 58, which is dependent on claim 45, Bates discloses calculating a parameter related to the length of the text referred to by the outline element (col 6, line 55 to col 7, line 24: the position of the target pointed to by the internal hypertext link in

the table of contents is calculated and stored as the line number or the percent shows calculating the length of the text referred to by the outline element).

Regarding claim 59, which is dependent on claim 45, Bates discloses identifying additional material related to said selected text (figure 11 and col 9, lines 53-62: indicator 158 shows the position and the direction, which is additional material, related to the selected text #156).

Regarding claim 60, which is dependent on claim 59, Bates discloses using a reference work to look up material contained in a portion of text referred to by the outline element (figure 11 and col 9, lines 53-62: as mentioned in claim 59, the indicator 158 or an icon is considered as a reference work to look up material contained in the portion of text since it can tell the length of the text referred by the internal link definition 156 as well as the relative position of text of Chapter 1 referred by the outline element).

Regarding claim 61, which is dependent on claim 45, Bates discloses identifying annotations to at least one portion of said selected text (figure 12 and col 9, lines 63-67: the pop-up window with the note related to the outline element "Chapter 1" appears whenever the pointer points to the hyperlink "Chapter 1").

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Regarding claim 62, which is dependent on claim 45, Bates does not disclose explicitly calculating a parameter related to the time spent viewing text referred to by an outline element.

Instead, Bates does disclose calculating a parameter related to the length of text referred to by an outline element (col 6, line 66 to col 7, line 19).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have modified Bates to include calculating a parameter related to the time spent viewing text referred to by an outline element since the length of text relates to the time spent for viewing, and is proportional to the time spent for viewing said text.

Regarding claim 63, which is dependent on claim 50, Bates discloses that the appearance modification comprises highlighting of said selected text (figure 15).

Regarding claim 64, which is dependent on claim 50, Bates discloses displaying a portion of said selected text on the outline (figure 6, col 3, lines 11-22: partially display in a window the portion of text referred to by the hyperlinks in the table of contents).

Independent claims 65 and 66 are for a computer system and a memory storage of method claim 45, and are rejected under the same rationale.

Allowable Subject Matter

8. Claim 51 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Bennett et al. (US Pat No. 5,940,800, filed 8/31/98).

Fein et al. (US Pat No. 6,088,711, filed 7/1/97).

Corbin (US Pat No. 6,295,542, filed 10/2/98).


Inoue et al. (US Pat No. 6,336,123, filed 1/2/97).

Eiche et al. (US Pat No. 6,715,130, filed 10/5/98).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cong-Lac Huynh whose telephone number is 571-272-4125. The examiner can normally be reached on Mon-Thurs (9:00-7:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on 571-272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Cong-Lac Huynh
Primary Examiner
Art Unit 2178
7/13/06